
By: **Senator Middleton**

Introduced and read first time: February 6, 2004

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Piscataway Indians of Maryland - Recognition**

3 FOR the purpose of recognizing that certain Piscataway American Indian groups are
4 entitled to a certain status; providing that certain members of those groups are
5 entitled to Maryland Indian status under certain conditions; providing
6 requirements for recognition as a descendent of those groups; requiring the
7 Maryland Commission on Indian Affairs to adopt certain regulations; providing
8 for the effect of this Act on certain entitlements, rights, benefits, and tax
9 exemptions; and generally relating to Piscataway American Indians.

10 BY adding to

11 Article 83B - Department of Housing and Community Development

12 Section 5-407

13 Annotated Code of Maryland

14 (2003 Replacement Volume)

15 **Preamble**

16 WHEREAS, The Piscataway Indian tribe comprising the Piscataway-Conoy
17 Tribe and Piscataway Indian Nation is a nonfederally recognized and
18 long-established tribe of indigenous people inhabiting traditional homelands on the
19 western shore of Maryland's Chesapeake Bay in areas of Charles County, Prince
20 George's County, and St. Mary's County located near two metropolitan areas,
21 Baltimore and Washington, D.C.; and

22 WHEREAS, The current population of the Piscataway Indians is
23 approximately 6,000 members; and

24 WHEREAS, Native Americans have contributed greatly to the history and
25 traditions of the State of Maryland; and

26 WHEREAS, Native Americans have sought State recognition for over 100
27 years from the State of Maryland assuring them a means to identify with their Indian
28 heritage and culture; and

1 WHEREAS, In 1988 the Maryland General Assembly established a State
2 process for formally recognizing indigenous Native American tribes, bands, groups, or
3 clans as Maryland Indians; and

4 WHEREAS, That process provides State recognition to a group of Native
5 Americans who establish through documentation outlined by regulations that the
6 group meets the criteria of recognition established by statute; and

7 WHEREAS, The Piscataway Indians have complied with and met the criteria
8 for State recognition under the regulations of the Maryland Commission on Indian
9 Affairs in the Department of Housing and Community Development as recommended
10 by the Maryland Commission on Indian Affairs and the Recognition Advisory
11 Committee as provided under Article 83B, § 8-406 of the Code; now, therefore,

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article 83B - Department of Housing and Community Development**

15 5-407.

16 (A) (1) THE STATE RECOGNIZES THAT A PISCATAWAY AMERICAN INDIAN
17 GROUP THAT COMPLIES WITH § 5-406(B) OF THIS SUBTITLE IS ENTITLED TO
18 MARYLAND INDIAN STATUS IF THE COMMISSION DETERMINES THAT THE GROUP
19 DESERVES THAT STATUS.

20 (2) A MEMBER OF A PISCATAWAY AMERICAN INDIAN GROUP IS
21 ENTITLED TO THE SAME RIGHTS, PRIVILEGES, RESPECT, AND SERVICES THAT ARE
22 PROVIDED TO MEMBERS OF OTHER MARYLAND INDIAN GROUPS IF THE COMMISSION
23 ON INDIAN AFFAIRS IS SATISFIED THAT THE MEMBER'S STATUS IS VALID.

24 (B) TO BE RECOGNIZED AS A DESCENDENT OF THE PISCATAWAY INDIANS IN
25 THE STATE, AN INDIVIDUAL SHALL BE CERTIFIED AS A PISCATAWAY INDIAN BY THE
26 PISCATAWAY INDIAN TRIBAL GOVERNMENT.

27 (C) SUBJECT TO THE APPROVAL OF THE SECRETARY, THE COMMISSION SHALL
28 ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

29 (D) THIS SECTION DOES NOT:

30 (1) CREATE ANY RIGHTS OF OWNERSHIP OR OTHER RIGHTS TO LAND OR
31 CREATE ANY BENEFITS OR ENTITLEMENTS OF ANY KIND, NOR DOES THIS SECTION
32 IMPAIR VALID EXISTING RIGHTS, BENEFITS, OR ENTITLEMENTS BELONGING TO
33 AMERICAN INDIANS RESIDING IN THE STATE; OR

34 (2) ENTITLE ANY AMERICAN INDIAN GROUP TO A BUSINESS TAX
35 EXEMPTION AVAILABLE TO A GROUP WITH MARYLAND INDIAN STATUS.

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
37 effect October 1, 2004.

